

MELODY A. KRAMER, SBN 169984
KRAMER LAW OFFICE, INC.
9930 Mesa Rim Road, Suite 1600
San Diego, California 92121
Telephone (858) 362-3150
mak@kramerlawip.com

J. MICHAEL KALER, SBN 158296
KALER LAW OFFICES
9930 Mesa Rim Road, Suite 200
San Diego, California 92121
Telephone (858) 362-3151
michael@kalerlaw.com

Attorneys for Plaintiff JENS ERIK SORENSEN,
as Trustee of SORENSEN RESEARCH AND
DEVELOPMENT TRUST

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JENS ERIK SORENSEN, as Trustee of	) Case No. C08-000096 CW (WDB)
SORENSEN RESEARCH AND)
DEVELOPMENT TRUST,	) PLAINTIFF'S
	) MOTION FOR DEFAULT
Plaintiff	) JUDGMENT AGAINST
v.	) DEFENDANT AMPRO TOOLS
	) CORPORATION
AMPRO TOOLS CORPORATION, a)
California Corporation; and DOES 1 –	) Date: June 18, 2008
100,	) Time: 1:30 p.m.
	) Magistrate Judge Wayne D. Brazil
Defendants.	) Courtroom 4, 3 rd Floor
	) 1301 Clay Street, Ste 400 S
	) Oakland, CA 94612
)
)
)

1 PLAINTIFF Jens Erik Sorensen, as Trustee of Sorensen Research and
2 Development Trust ("SRDT") hereby requests the Court to conduct a hearing to
3 determine damages and enter judgment as to Defendant AmPro Tools Corporation
4 ("AmPro")'s default pursuant to Fed.R.Civ.P. Rule 55(b).

5 On January 15, 2008, the registered agent for service of process for AmPro
6 was personally served with the summons and complaint in this matter (see Docket #
7 10). AmPro has failed to answer or otherwise appear in this case, and its default
8 was entered by the Court on March 26, 2008, the Court Clerk entered AmPro's
9 default.

10 Plaintiff's claim was for at least eight percent (8%) of gross sales as a
11 reasonable royalty for all sales of Accused Products and according to proof at trial.
12 Plaintiff is prepared to present sworn testimony establishing reasonable royalty rates
13 that should be paid by AmPro in this case at the scheduled prove-up hearing.

14 WHEREFORE, Plaintiff requests the Court to (1) hold an evidentiary hearing
15 on the hearing date set forth above to accept testimony supporting a reasonable
16 royalty rate; and (2) enter judgment in favor of Plaintiff and against AmPro for a
17 dollar amount supported by said testimony.

18
19 DATED this 30th day of April, 2008.

20
21 JENS ERIK SORENSEN, as Trustee of
22 SORENSEN RESEARCH AND DEVELOPMENT
TRUST, Plaintiff

23 /s/ Melody A. Kramer

24 _____
25 Melody A. Kramer, Esq.
26 J. Michael Kaler, Esq.
27 Attorneys for Plaintiff
28

PROOF OF SERVICE

I, Melody A. Kramer declare: I am and was at the time of this service working within in the County of San Diego, California. I am over the age of 18 year and not a party to the within action. My business address is the Kramer Law Office, Inc., 9930 Mesa Rim Road, Suite 1600, San Diego, California, 92121. I am a member of the State Bar of California and the Bar of this Court.

On May 1, 2008, I served on the parties to this action the following documents:

**PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT AGAINST
DEFENDANT AMPRO TOOLS CORPORATION**

**DECLARATION OF MELODY A. KRAMER IN SUPPORT OF
MOTION FOR DEFAULT JUDGMENT AGAINST DEFENDANT AMPRO
TOOLS CORPORATION**

PERSON(S) SERVED	PARTY(IES) SERVED	METHOD OF SERVICE
Celia Chu 1108 Elmsford Drive Cupertino, CA 95014	Agent for Service of Process for AmPro Tools Corporation	Federal Express
Bruce Kaser Vantage Law PLLC 355 N.W. Gilman Blvd. Suite 203 Issaquah, WA 98027	Attorney for AmPro Tools Corporation (no appearance made in this case; probably not authorized to appear in California courts)	Federal Express

- ☐ (Personal Service) I caused to be personally served in a sealed envelope hand-delivered to the office of counsel during regular business hours.
- ☒ (Federal Express) I deposited or caused to be deposited today with Federal Express in a sealed envelope containing a true copy of the foregoing documents with fees fully prepaid addressed to the above noted addressee for overnight delivery.
- ☐ (Facsimile) I caused a true copy of the foregoing documents to be transmitted by facsimile machine to the above noted addressees. The facsimile transmissions were

1 reported as complete and without error.

2 ☐ (Email) I emailed a true copy of the foregoing documents to an email address
3 represented to be the correct email address for the above noted addressee.

4 ☐ (Email--Pleadings Filed with the Court) Pursuant to Local Rules, I electronically filed
5 this document via the CM/ECF system for the United States District Court for the
6 Southern District of California.

7 I declare that the foregoing is true and correct, and that this declaration was executed on
8 Wednesday, April 30, 2008, in San Diego, California.

9 /s/ Melody A. Kramer

10 _____
Melody A. Kramer